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FAX (212) 753-8101 e-mail: dklein@telfile.com

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AZ CORP COMMISSION DOCUMENT CONTROL

September 6, 2001

VIA FEDERAL EXPRESS

Docket Control Center Arizona Corporation Commission 1200 West Washington Street Phoenix, Arizona 85007

Arizona Corporation Commission

DOCKETED

SFP 0 7 2001

DOCKETED BY

Re: Transpoint Communications - Docket No. T-03990A-01-0117

#63908

Dear Sir or Madam:

Pursuant to the Arizona Corporation Commission ("Commission") Decision dated August 6, 2001, enclosed for filing please find one original and ten (10) copies of Local Telcom Holdings, LLC d/b/a Transpoint Communications' Compliance Tariff with an effective date of October 8, 2001.

On behalf of Transpoint Communications, we hereby request the Commission to extend the time of the tariff compliance in the above referenced Decision, due September 5, 2001. Inadvertently, we were not able to comply with the Commission's Decision and hereby request an extension of the compliance due date in this Decision.

At your earliest convenience, please date stamp and return the copy of this letter to the undersigned in the postage prepaid self-addressed envelope.

Should you have any questions, or require additional information, please contact the undersigned at your convenience.

Sincerely,

ce Acolriquez Alice Rodriguez

Project Manager

Enc.

00046047;1

www.telfile.com



TELEGOM CERTIFICATION & FILING, INC.

cc: Compliance Section

Arizona Corporation Commission 1200 West Washington Street Phoenix, Arizona 85007

Compliance Section Utilities Division Arizona Corporation Commission 1200 West Washington Street Phoenix, Arizona 85007

2112-05/46047

TITLE SHEET

ARIZONA TELECOMMUNICATIONS TARIFF

This tariff contains the descriptions, regulations and rates applicable to the furnishing of service and facilities for interexchange telecommunications services provided by Local Telcom Holdings, LLC d/b/a Transpoint Communications with principal office at 26565 West Agoura Road, Suite 305, Calabasas, CA 91302. This tariff applies for services furnished within the State of Arizona. This tariff is on file with the Arizona Corporation Commission, and copies may be inspected, during normal business hours, at the Company's principal place of business.

Issued: February 8, 2001 Effective: October 8, 2001

Issued By:

Mr. Paul Black
President and Chief Executive Officer
Local Telcom Holdings, LLC d/b/a Transpoint Communications
26565 West Agoura Road, Suite 305
Calabasas, CA 91302

00039373;1

CHECK SHEET

Sheet 1 through 25 inclusive of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this sheet.

SHEET	REVISION
1	Original
2	Original
3	Original
4	Original
5	Original
6	Original
7	Original
8	Original
9	Original
10	Original
11	Original
12	Original
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SYMBOLS

The following are the only symbols used for the purposes indicated below:

- D Delete or Discontinue
- I Change Resulting In An Increase to A Customer's Bill
- M Moved From Another Tariff Location
- N New
- R Change Resulting In A Reduction to A Customer's Bill
- T Change In Text or Regulation but no Change In Rate or Charge

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TARIFF FORMAT

- A. <u>Sheet Numbering</u> Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.
- B. <u>Sheet Revision Numbers</u> Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the A.C.C.. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc. the A.C.C. follows in their tariff approval process, the most current sheet number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the sheet currently in effect.
- C. <u>Paragraph Number Sequence</u> There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

2.1.

2.1.1.

2.1.1.A.

2.1.1.A.1.

2.1.1.A.1.(a)

2.1.1.A.1.(a).1.

2.1.1.A.1.(a).1.(i).

2.1.1.A.1.(a).1.(i).(1).

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TARIFF FORMAT (Cont'd)

D. <u>Check Sheets</u> - When a tariff filing is made with the A.C.C., an updated check sheet accompanies the tariff filing. The check sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revisions levels on some pages). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the A.C.C..

Issued: February 8, 2001 Effective: October 8, 2001

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An arrangement which connects the Customer's location to a Local Telcom Holdings, LLC d/b/a Transpoint Communications network switching center.

Authorization Code - A numerical code, one or more of which are available to a customer to enable him/her to access the carrier, and which are used by the carrier both to prevent unauthorized access to its facilities and to identify the customer for billing purposes.

Company or Carrier - Local Telcom Holdings, LLC d/b/a Transpoint Communications.

Customer - The person, firm, corporation or other entity which orders service and is responsible for payment of charges due and compliance with the Company's tariff regulations.

Day - From 8:00 a.m. up to, but not including, 5:00 p.m. local time Sunday through Friday.

Evening - From 5:00 p.m. up to, but not including, 11:00 p.m. local time Sunday through Friday.

Holidays - Local Telcom Holdings, LLC d/b/a Transpoint Communications' recognized holidays are New York's Day, Martin Luther King, Jr. Day, Chief Executive Officers' Day, Veterans' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Thanksgiving Day and Christmas Day.

Night/Weekend - From 11:00 p.m. up to, but not including, 8:00 a.m. Sunday through Friday, and 8:00 a.m. Saturday up to, but not including 5:00 p.m. Sunday.

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SECTION 2 - RULES AND REGULATIONS

2.1 <u>Contact Information</u>

2.1.1. Customer complaints, bill inquiry, new service or disconnect requests:

Mr. Adam Bir Local Telcom Holdings, LLC d/b/a Transpoint Communications 26565 West Agoura Road, Suite 305 Calabasas, CA 91302 Toll Free No. 1 (888) 239-2941

2.1.2. Commission contact - tariff information:

Mr. Paul Black Local Telcom Holdings, LLC d/b/a Transpoint Communications 26565 West Agoura Road, Suite 305 Calabasas, CA 91302 Telephone No. 1 (888) 239-2941

2.1.3. Commission Contact Complaints:

Mr. Adam Bir Local Telcom Holdings, LLC d/b/a Transpoint Communications 26565 West Agoura Road, Suite 305 Calabasas, CA 91302 Telephone No. 1 (888) 239-2941

2.1.4. Arizona Agent:

National Registered Agents, Inc. 815 N. First Avenue Suite 4 Phoenix, Arizona 85003 1 (800) 767-1553

Issued: February 8, 2001

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2.2 <u>Undertaking of Local Telcom Holdings, LLC d/b/a Transpoint Communications</u>

Local Telcom Holdings, LLC d/b/a Transpoint Communications' facilities are furnished for long distance communications originating at specified points within the State of Arizona under terms of this tariff.

Local Telcom Holdings, LLC d/b/a Transpoint Communications operates, and maintains the communication services provided hereunder in accordance with the terms and conditions set forth under this tariff. It may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the Customer, to allow connection of a Customer's location to the Local Telcom Holdings, LLC d/b/a Transpoint Communications network. The Customer shall be responsible for all charges due for such service arrangement.

The Company's services are provided on a monthly basis unless ordered on a longer time basis, and are available 24 hours per day, seven days per week.

2.3 Limitations

- 2.3.1 Service is offered subject to the availability of facilities and the provisions of this tariff.
- 2.3.2 Local Telcom Holdings, LLC d/b/a Transpoint Communications reserves the right to discontinue furnishing service, or limit the use of service necessitated by conditions beyond its control; or when the Customer is using service in violation of the law or the provisions of this tariff.
- 2.3.3 All services provided under this tariff are directly controlled by Local Telcom Holdings, LLC d/b/a Transpoint Communications and the Customer may not transfer or assign the use of service, except with the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.

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2.3 Limitation (Cont'd)

2.3.4 Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions for service.

2.4 Liabilities of The Company

- 2.4.1 Local Telcom Holdings, LLC d/b/a Transpoint Communications' liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in the transmission occurring in the course by the negligence of its employees or its agents, in no event shall exceed an amount equivalent to the proportionate charge to the Customer for the period during which the aforementioned faults in transmission occur.
- 2.4.2 Local Telcom Holdings, LLC d/b/a Transpoint Communications shall be indemnified and held harmless by the Customer against:
 - (A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content transmitted over the Company's facilities.
 - (B) All other claims arising out of any act or omission of the Customer in connection with any service or facility provided by Local Telcom Holdings, LLC d/b/a Transpoint Communications.
- 2.4.3 The included tariff language does not constitute a determination by the Commission that a limitation of liability imposed by the Company should be upheld in a court of law. Acceptance for filing by the Commission recognizes that it is a court's responsibility to adjudicate negligence and consequential damage claims. It is also the court's responsibility to determine the validity of the exculpatory clause.

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Issued By:

Mr. Paul Black

2.4 <u>Liabilities of The Company</u> (Cont'd)

2.4.4 Local Telcom Holdings, LLC d/b/a Transpoint Communications will give at least ten (10) days notice to Customers and the A.C.C. before increasing rates or other changes. The notice to Customers will be either individual notice or a public notice in the newspapers in Orion Arizona service areas.

2.5 Interruption of Service

2.5.1 Credit allowances for the interruption of service, which is not due to the Company's testing or adjusting, negligence of the Customer, or to the failure of channels or equipment provided by the Customer, are subject to the general liability provisions set forth in 2.3.1 herein. It shall be the obligation of the Customer to notify the Company immediately of any interruption in service for which a credit allowance is desired.

Before giving such notice, the Customer shall ascertain that the trouble is not being caused by an action or omission by the Customer within his control, or is not in wiring or equipment, if any, furnished by the Customer and connected to the Company's facilities.

- 2.5.2 For the purposes of credit computation, every month shall be considered to have 720 hours.
- 2.5.3 No credit shall be allowed for an interruption of a continuous duration of less than two hours.

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2.5 <u>Interruption of Service (Cont'd)</u>

2.5.4 The Customer shall be credited for an interruption of two hours or more at the rate of 1/720th of the fixed monthly charge for the facilities affected for each hour or major fraction thereof that the interruption continues.

Credit Formula:

Credit = $\underline{\mathbf{A}} \times \mathbf{B}$ 720

"A" -- outage times in hours
"B" -- total fixed monthly charge for affected facility

2.6 Suspension-of-Service Guidelines

Local Telcom Holdings, LLC d/b/a Transpoint Communications will provide written notice at least seven days in advance of suspending a Customer's service for non-payment of charges. In cases of bona fide emergencies, we try to avoid suspension of service for non-payment. Service will be suspended without notice in the following situations:

- 1) The Customer obtained service fraudulently;
- 2) Risk of non-payment is evident; or
- 3) A safety hazard is found on the Customer's premises.

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2.7 Restoration of Service

The use and restoration of service shall be in accordance with the priority system specified in Part 64, Subpart D of the Rules and Regulations of the Federal Communications Commission.

2.8 Billing Periods

The Customer will receive a bill after the 30 day cycle.

2.9 Understanding your Bill

The Customer's bill will outline specific charges or adjustments for Local Telcom Holdings, LLC d/b/a Transpoint Communications' services.

2.10 Questions About A Customer's Bill

If the Customer has questions about Local Telcom Holdings, LLC d/b/a Transpoint Communications' charges that may appear on its bill, the Customer should call the Local Telcom Holdings, LLC d/b/a Transpoint Communications service representative or Local Telcom Holdings, LLC d/b/a Transpoint Communications' designated billing agent.

2.11 Pay By Mail

A return envelope is included with each Customer's bill. If the return envelope is unavailable, Customers should contact the Customer service telephone number indicated on the bill for the appropriate address.

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2.12 Lost Bills

If a bill is lost, the Customer should call the Local Telcom Holdings, LLC d/b/a Transpoint Communications service representative or Local Telcom Holdings, LLC d/b/a Transpoint Communications' designated billing agent for the amount due. Customer should be sure to include their account number, name, address and telephone number with payment.

2.13 Forms of Payment

For the protection of the Customer, Customers should send checks or money orders payable in United States dollars with their account number, area code, and telephone number included. Cash should not be sent. Unless otherwise required by law, tariff or commission order, partial payments received without customer direction will be prorated by Local Telcom Holdings, LLC d/b/a Transpoint Communications.

Alternate forms of payment include traveler's checks and bank drafts.

2.14 Returned Check Charge

If a Customer's check is returned by the bank, a charge will be added to the Customer's next monthly telephone bill. A fee of \$10.00, or five percent of the amount of the check, whichever is greater, will be charged for each check returned for insufficient funds.

2.15 Late Charge

Local Telcom Holdings, LLC d/b/a Transpoint Communications' service representative or Local Telcom Holdings, LLC d/b/a Transpoint Communications' designated billing agent should be contacted if a bill cannot be paid on time; special payment arrangements may be possible in case of illness or other circumstances beyond one's control. Late Payments may be subject to a late charge and/or may result in telephone service being suspended. A late fee of 1.5% monthly will be charged on any past due balances.

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2.16 Requirements for Service Restoral After Suspension for Non-Payment

In most cases, all charges billed for service must be paid before service will be restored. This would include any amount which may have received on a new bill. There is also a charge to restore service, which will be billed on the Customer's account.

2.17 Responsibility of The Company

The Company endeavors to provide the best long distance service possible at a fair and competitive price. In turn, the Customer is responsible for paying their bills on time and must report any problems in a timely manner so that they can be corrected.

2.18 <u>Frequency Restrictions</u>

There are no frequency restrictions.

2.19 Cancellations

Customers may cancel their service at any time through written instruction.

2.20 Nonpayment

The Company's designated billing agent will contact a Customer when their payment is late. At the point where payment exceeds 60 days late, the Customer may be turned over to a collection agency and the Customer's service may be terminated. Suspension or termination of service shall not be made without five (5) working days' written notice to the Customer, except in extreme cases. The written notice shall be separate and apart from the regular monthly bill for service.

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2.21 Credit for Incomplete Calls

When a Customer calls in and identifies that specific calls were incomplete, the Company's Customer Service department has the capability to credit the Customer's card. In the event that the call was incomplete, the Company will automatically credit the Customer's card.

2.22 Deposit

The Company does not require a deposit from the Customer.

2.23 Advance Payments

The Company does not require advance payments from the Customer.

2.24 Gross Revenue Surcharge

The applicable Gross Revenue Surcharge rates will be filed on 15 days' notice to the A.C.C., and as directed by the A.C.C. Customers will be notified of such changes on the first bill following the rate change, Whenever the State levels a new tax on the Company's gross revenue, repeals such tax, or changes the rate of such tax, the A.C.C. may approve new surcharge factors, and the Company will file revised surcharges as directed by the A.C.C.

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SECTION 3 - DESCRIPTION OF SERVICES

3.1 <u>Usage Based Services</u>

The Company's charges are based on the actual usage of Company's services, plus any special features and/or service options, if any. Charges begin when the Company's answer supervision determines that the other party has picked up. Charges cease when the termination(s) is/are disconnected.

3.2 Long Distance Telecommunications Network Service

The Company's Long Distance Network Service provides for the facilities based and switched resale of various underlying carriers' services including, the Underlying Carriers tariffed Software Defined Network (SDN) Service. This service is a custom designed private telecommunication network that combines the efficiencies and benefits of both switched and private line service to meet the specific requirements of Customers needing to communicate between geographic locations within the State.

Each service Customer is billed individually for each call, on a conversation minute basis, placed through the Company's network. Each call is measured and billed at the applicable rate for the initial sixty (60) second period or fraction thereof, and then at the applicable rate for each additional sixty (60) second period or fraction thereof. The minimum length of a call is sixty (60) seconds. See Section 4, for the applicable rate schedule.

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SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)

3.2 Long Distance Network Service (Cont'd)

Dedicated access circuits may be provided and billed by the local exchange company (LEC). Dedicated access channels may be purchased from carriers other than the LEC only in accordance with A.C.C. rules or if the special access channel is jurisdictionally interstate. Charges for the dedicated access channel are determined by the access provider.

3.3 Group Billing Service

Group Billing Service allows the Customer with more than one location to consolidate billing. Group Billing provides enhanced Customer bills with call summaries by NPA, time period and location.

3.4 <u>Directory Assistance Service</u>

Directory Assistance Service is provided to assist subscribers in obtaining telephone numbers. Residential Customers are entitled to six (6) free directory assistance calls per monthly billing cycle.

3.5 Accessing Service

The service provided by the Company is one way dial in - dial out, multi-point telecommunications services, allowing the Customer to originate calls through the network facilities of Local Telcom Holdings, LLC d/b/a Transpoint Communications and its Underlying Carrier(s).

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SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)

3.6 Availability of Service

The services provided through the Company, are available where equal access and Underlying Carriers Billing System are provided.

3.7 Locations of Service

The services offered by the Company are to be available statewide, where Underlying Carriers long distance service or billing arrangements are available. The services offered by the Company are not intended to be limited geographically.

3.8 Timing of Calls

- 3.8.1 Long distance usage charges are based on usage of Local Telcom Holdings, LLC d/b/a Transpoint Communications' service. Chargeable time begins when a connection is established between the calling station and the called station. Chargeable time ends when either party "hangs up" thereby releasing the network connections.
- 3.8.2 Minimum call duration and usage measurement and rounding for billing purposes is specified on per-product basis in the rate section of this tariff.
- 3.8.3 There is no billing applied for incomplete calls.

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SECTION 3 - DESCRIPTION OF SERVICES (Cont'd)

- 3.9 Local Telcom Holdings, LLC d/b/a Transpoint Communications Calling Card
 - 3.9.1 This service permits use of a Calling Card to access and pay for the Company's telecommunications services.
 - 3.9.2 Customers obtain the service by dialing an 800 number or other Access Codes to access the Company's network. The Customer is prompted by an automated voice response system to enter his/her PIN, and then to enter the terminating telephone number. The Company's processor tracks the call duration from when the call is answered by the Company's processor for rating purposes on a real time basis. Billing for all calls ends when the called party hangs-up.

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SECTION 4 - RATES

4.1 Long Distance Telecommunications Network Usage Rates

- 4.1.1 The calls placed through the Company are rated using one of the following schedules.
- 4.1.2 Day, Evening and Night rate periods apply to Long Distance Network usage. The rates apply for all days of the week including holidays. The Day rate period is 8:00 AM to, but not including, 5:00 PM, Monday through Friday and 5:00 PM to, but not including 11:00 PM Sunday. The Night/Weekend Rate period is 11:00 PM to, but not including, 8:00 AM Monday through Sunday, all day Saturday, and from 8:00 AM to, but not including, 5:00 PM Sunday. For New Year's Day (January 1), Independence Day (July 4), Labor Day, Thanksgiving Day and Christmas Day (December 25), the Evening Rate applies.

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4.1 Long Distance Network Usage Rates (Cont'd)

4.1.3 Arizona Intrastate Interlata Rates (Switched Access)

DAY EVE NIGHT Add'l Add'l First Add'l First First Actual: Switched Outbound: \$0.215/min. \$0.215/min. \$0.215/min. \$0.215/min. \$0.215/min. Switched Inbound: \$0.215/min. \$0.215/min. \$0.215/min. \$0.215/min. \$0.215/min. Dedicated Outbound: \$0.129/min. \$0.129/min. \$0.129/min. \$0.129/min. \$0.129/min. Dedicated Inbound: \$0.129/min. \$0.129/min. \$0.129/min. \$0.129/min. \$0.129/min. Maximum: Switched Outbound: \$0.43/min. \$0.43/min. \$0.43/min. \$0.43/min. \$0.43/min. \$0.43/min. Switched Inbound: \$0.43/min. \$0.43/min. \$0.43/min. \$0.43/min. \$0.43/min. \$0.43/min.

Dedicated Outbound:

\$0.258/min. \$0.258/min. \$0.258/min. \$0.258/min. \$0.258/min.

Dedicated Inbound:

\$0.258/min. \$0.258/min. \$0.258/min. \$0.258/min. \$0.258/min.

Issued: February 8, 2001

Effective: October 8, 2001

Issued By:

President and Chief Executive Officer Local Telcom Holdings, LLC d/b/a Transpoint Communications

26565 West Agoura Road, Suite 305 Calabasas, CA 91302

Mr. Paul Black

4.1 Long Distance Network Usage Rates (Cont'd)

4.1.4 Arizona Intrastate Intralata Rates (Switched Access)

DAY EVE NIGHT
First Add'l First Add'l First Add'l

Actual:

Switched Outbound:

\$0.215/min. \$0.215/min. \$0.215/min. \$0.215/min. \$0.215/min.

Switched Inbound:

\$0.215/min. \$0.215/min. \$0.215/min. \$0.215/min. \$0.215/min.

Dedicated Outbound:

\$0.129/min. \$0.129/min. \$0.129/min. \$0.129/min. \$0.129/min.

Dedicated Inbound:

\$0.129/min. \$0.129/min. \$0.129/min. \$0.129/min. \$0.129/min.

Maximum:

Switched Outbound:

\$0.43/min. \$0.43/min. \$0.43/min. \$0.43/min. \$0.43/min.

Switched Inbound:

\$0.43/min. \$0.43/min. \$0.43/min. \$0.43/min. \$0.43/min.

Dedicated Outbound:

\$0.258/min. \$0.258/min. \$0.258/min. \$0.258/min. \$0.258/min.

Dedicated Inbound:

\$0.258/min. \$0.258/min. \$0.258/min. \$0.258/min. \$0.258/min.

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Mr. Paul Black

4.1 Long Distance Network Usage Rates (Cont'd)

4.1.5 Calling Card Service

	DAY	EVE	<u>.</u>		NIGHT
<u>First</u>	Add'l	First	Add'l	<u>First</u>	Add'l

Actual:

\$0.200/min. \$0.200/min. \$0.200/min. \$0.200/min. \$0.200/min.

Maximum:

\$0.400/min. \$0.400/min. \$0.400/min. \$0.400/min. \$0.400/min.

4.1.5.1 Operator Handling Charge

Customers will be billed the following operator handling charge for each automated operator assisted Calling Card call.

	<u>Actual</u>	<u>Maximum</u>
Per Call Charge	\$3.50	\$7.00

4.2 <u>Directory Assistance Service</u>

Local Telcom Holdings, LLC d/b/a Transpoint Communications' Customers will be billed the following per call charge for each directory assistance call. The directory assistance charge applies to each call regardless of whether the directory assistance bureau is able to furnish the requested telephone number.

			<u>Actual</u>	<u>Maximum</u>
Per	Call	Charge	\$0.99	\$1.98

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4.3 Exemptions and Special Rates

4.3.1 Discount for Hearing Impaired Customers:

A telephone toll message which is communicated using a telecommunications device for the deaf (TDD) by properly certified hearing or speech impaired persons or properly certified business establishments or individuals equipped with TDDs for communicating with hearing or speech impaired persons will receive, upon request, calls placed between TDDs. The credit to be given on a subsequent bill for such calls placed between TDDs will be equal to applying the evening rate during business day hours and the night/weekend rate during the evening rate period. Discounts do not apply to surcharges or per call add on charges for operator service when the call is placed by a method that would normally incur the surcharge.

4.3.2 Operator Assistance for Handicapped Persons:

Operator station surcharges will be waived for operator assistance provided to a caller who identified him or herself as being handicapped and unable to dial the call because of a handicap.

4.3.3 Directory Assistance for Handicapped Persons:

There is no charge for Directory Assistance for calls from handicapped persons. Such persons must contact the Company for credit on their directory assistance calls.

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